

# Privacy Policy

## with Addendum for nbn™ telecommunications services

### Protection of your privacy

This Privacy Policy and Credit Reporting Policy applies to all of the activities of the EnergyAustralia group of companies operating in Australia (including the Embedded Networks Company Pty Ltd, trading as scene) (referred to as 'us'/'our'/or 'we'). It describes how we manage personal information and how we handle credit-related personal information. Our [Website Policy](#) (set out below) also describes how we deal with certain information collected through our website.

This policy was last updated on 2019.

### Privacy Policy

We are committed to respecting your privacy and protecting your personal information in accordance with the Australian Privacy Principles contained in the Privacy Act 1988 (Cth). This privacy policy explains how we deal with your personal information and how to contact us if you have queries about our management of your personal information. By providing us with your personal information (including your sensitive information), you consent to the collection, use, disclosure and storage of that personal information as set out in this Privacy Policy. This privacy policy does not cover personal information collected or held by EnergyAustralia about its employees.

We may revise this policy from time to time. When we revise this policy, we will publish the revised version on our website.

### What kinds of personal information do we collect?

'Personal information' is information or an opinion, in any form (whether true or not), about an identified individual or an individual who is reasonably identifiable.

The kinds of personal information we collect and hold about you will depend on the circumstances of collection, including whether we collect the information from you as a customer, supplier, stakeholder, job applicant or in some other capacity.

For example, if you are a customer or a potential customer, we may collect your name, address, telephone number, date of birth, other forms of identification and information about your financial circumstances, credit worthiness, credit history and the conduct of your

account, information in forms you submit (including on-line enquiry or complaint forms), payment details (including metering data). We may also collect sensitive information about you (see [Do we hold sensitive information about you?](#)). We may also collect information directly from you and/or from other data providers about what, how & when you buy products or services and your stated or likely preferences, such as whether you are interested in certain products or promotions.

We may also collect personal information and de-identified information regarding when and where you use our networks and services. We are authorised to collect information about the contents and substance of the communications we carry by Division 3, Part 13 of the Telecommunications Act 1997 (Cth).

All telecommunications providers, including EnergyAustralia, have an obligation to retain certain network data and customer information (called 'metadata') for a period of at least two years for use by criminal law enforcement agencies. Network data has always been collected so that we can run our network properly, and it is now being retained for two years to meet the government requirement. We also collect customer information and retain it for at least 2 years. Please consult <https://www.ag.gov.au/dataretention> for more information on what we are required to retain and why.

If you deal with us in some other capacity (for example, as a community representative or other stakeholder), we may collect your name, contact details and any other information you choose to provide to us.

If we're unable to collect your personal information, we may not be able to provide you with our products or services or do business with you or the organisation with which you are connected.

If you provide us with personal information about another person (e.g. about your authorised representatives or other people residing at your premises), please make sure that you tell them about this privacy policy, and obtain their consent before providing us with their personal information.

## How do we collect your information?

We may collect personal information in a variety of ways, including from you directly (including when you interact with us in writing, electronically, via telephone or via social media websites), from your authorised representative, when you visit our website or other online services (including when you submit a quote or contact form or, in the case of job-seekers, when you register a public profile on an online job board), when you participate in our events or promotions, from third party introducers such as energy comparators, sales partners and resellers, when we supply products or services to you, from credit reporting bureaus, and from public sources of information and marketing and similar lists which are legally acquired by us. We may also collect information about you from third parties with whom we have business relationships.

We may also obtain information from other energy and telecommunications retailers (for example if you move to us from that retailer), your energy distributor or the energy market operator relating to energy usage or previous energy usage at your premises, as well as from suppliers of equipment which we install or connect to the network for you, from our sales agents and resellers, and from our related entities and commercial partners and other third parties, such as builders and real estate agents, who advise us of the details of new energy users at a particular premises. At all times the collection of this information is obtained by lawful means in a manner that respects your privacy.

We may also collect information (including detailed energy and telecommunications data) about your use of products and services (whether those products and services are supplied by us or through our sales agents and resellers) through means such as smart meter devices and other products and solutions. These devices may allow us to remotely collect and provide you with detailed data regarding energy and telecommunications usage and usage times. This gives you and us the ability to monitor your usage and compare usage with other premises, make forecasts, track trends and environmental impacts, and identify product and service improvements. We may also give you the ability from time to time to connect 'smart' or internet-enabled appliances to provide you and us appliance-specific usage data.

We may also collect personal information about you by accessing data from other sources and then analysing that data together with the information we already hold about you to learn more about your likely preferences and interests.

When you visit our websites, social media pages or mobile applications or click on our online advertisements on other websites or applications, we may collect information about you using technology which is not apparent to you, for example "cookies". For more information about how we use "cookies", please see our EnergyAustralia [Website Policy](#).

## How do we use your information?

Your privacy is respected, and we do not sell, rent or trade your personal information.

We collect, hold, use and disclose personal information for a variety of purposes to effectively conduct our business, including to:

- supply our customers with products and services, including energy and telecommunications use management tools, and to administer and manage the supply of products and services (including billing and collecting debts)
- provide our customers and prospective customers with information about us, products and services, products and services offered by our related entities, including how use of our products or services can be improved
- understand and analyse our customers' energy and telecommunications needs, usage and consumption
- to verify our customers' and prospective customers' identity and personal information and help ensure our customer records are current and accurate

- identify customers that might be suitable candidates for certain pilot and trial programs
- customise your user experience on our website and other online services
- ensure safety at our sites
- conduct research and development (including surveys) to improve our products and offerings
- conduct appropriate checks for credit-worthiness and for fraud for customers who have credit with us
- comply with our legal and regulatory obligations
- manage our relationships with our suppliers and stakeholders
- to consider job applicants for current and future employment.

We may also use your information for other purposes required or authorised by or under law (including purposes for which you have provided your consent).

We may also use and disclose de-identified customer usage data for a range of purposes, including network planning and product and service development and improvement.

To help us carry out these activities, from time to time we disclose personal information to other persons including:

- our contractors, suppliers, agents, related entities and partners who assist us to provide products and services and to administer, manage and improve our business, including companies that provide products and services based on smart meter data and companies who manage the distribution of energy
- service providers who provide installation, maintenance, meter reading and other services related to metering
- companies in the EnergyAustralia group of companies (including our parent company CLP, located in Hong Kong)
- credit providers and agencies
- debt buyers
- relevant loyalty and rewards program partners
- consumer finance providers
- corporate finance and banking providers
- organisations with whom we have commercial arrangements
- government and regulatory authorities (as required or authorised by law)
- our professional advisors (such as auditors and lawyers)
- organisations that assist us to conduct research or analyse data, including undertaking customer segmentation for marketing purposes.

We will take reasonable steps to ensure that these third parties are bound by privacy obligations in relation to your personal information. Some of our contractors and suppliers to whom your personal information may be disclosed are located overseas, including in India, New Zealand, China, Hong Kong, Singapore, Malaysia, the Philippines, UK and the US. These countries may change from time to time.

## How do we store your information?

We may store your information in hardcopy and/or in electronic form on computer servers that are located in Australia and in some instances overseas. We take steps to protect the personal information we hold from misuse, interference and loss, and from unauthorised access, modification or disclosure. For example, we have implemented technology controls and organisational processes to assist us to protect your personal information, including having in place confidentiality obligations for employees and contractors, as well as implementing document storage security policies, systems and site access restrictions.

Our websites also have security systems in place, including the use of firewalls and data encryption. We also take care to store your information in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure.

However, no data transmission over the internet can be guaranteed to be 100 per cent secure. While we strive to protect your personal information, it is not possible to guarantee or warrant the security of information sent over the internet. Once we receive your information, we endeavour to ensure its security on our systems. If you are concerned about internet security, you can contact us by telephone, email or post. However, we may send information within EnergyAustralia (including to third party service providers), including over the internet.

## Do we provide you with information about products and services?

If you are a customer or a potential customer, we may use your personal information to provide you with information on products, services and offers (from us, our related companies or companies that we have partnered with) that we believe may be relevant to you or that you would be interested in, even after you cease acquiring products or services from us, and you consent to us doing so for an indefinite period of time unless you advise us otherwise. You can opt out of receiving marketing at any time (see below).

You consent to us sending you the information by direct mail, email, telephone, mobile apps and SMS/MMS, unless and until you tell us not to contact you in these ways.

## How can you opt out of receiving information about products and services?

You can opt out of receiving marketing communications in any of the following ways:

- SMS or email marketing - click on the unsubscribe link or follow the instructions in the message you receive from us
- Call the relevant customer service team:
  - EnergyAustralia

Phone: 133 466 (Monday - Friday, 8am - 6.30pm AEST)

- Seene customers  
Phone: 1300 609 387 (Monday - Friday, 9am - 5pm AEST)

- You can also opt-out in writing:

The Privacy Officer  
EnergyAustralia/seene  
Locked Bag 14060  
Melbourne City Mail Centre 8001

Please make sure the opt-out information you provide us matches with the contact details we have for you in our system. In some circumstances, we may need to contact you to obtain additional information, to verify your identity or to clarify your request.

## How do we make sure the information we hold about you is current?

We take reasonable steps to ensure that the personal information we collect, use and disclose is accurate, up to date, complete and relevant.

If you are a job seeker and would like to update your job seeker profile or no longer wish to appear in our list of active job seekers, you can email us at [careers@energyaustralia.com.au](mailto:careers@energyaustralia.com.au).

## Do we hold sensitive information about you?

We will only collect sensitive information about you with your consent (unless we are otherwise allowed or required by law to collect that information). Sensitive information includes information about your health, your race or ethnic origin and religious beliefs.

We may ask you (or you may otherwise wish) to provide us with sensitive information about you from time to time. This might include health information, such as information about a person's physical, mental or psychological health or disability or information required to determine your eligibility for specific discounts, services or treatment (eg eligibility for our hardship program).

Some energy industry laws require us to collect your health information in certain circumstances. For example, we need to keep a record of information you provide us where you have particular energy requirements due to special medical needs or where you wish to apply for a government concession available in relation to special medical needs. If you or someone living at your premises requires life support equipment, you should tell us (and provide confirmation from a medical practitioner) so that we may register your premises as having life support equipment, in which case certain restrictions on disconnecting your premises will apply.

The consequences of not providing us with health information will depend on the purpose for which it would have been collected. For example, where the information is required to obtain a government concession, we will not be able to process your application for that concession, or where the information is required to register that someone at your premises uses life

support equipment, we do not have to register your premises, and power to your premises may be disconnected by your distributor (which may affect the operation of that equipment).

We may disclose your health information to your distributor or, in some circumstances, field vendors for several purposes (see [How do we use your information?](#)).

## Do we record your phone calls to us?

Yes, we record and monitor phone calls for training, service quality control and compliance purposes.

## How can you correct your information?

Please let us know if the personal information we have about you is inaccurate, incomplete or out of date and we will take reasonable steps to correct it, including any information relating to credit.

## How can you get access to your information?

You may request details of the personal information, including information related to credit, we hold about you and we will generally provide you with access subject to some exceptions permitted by law. For example, if providing this access may disclose information about another person, or may disclose commercially sensitive information, we may need to refuse to grant you access. Details about how to contact us are at the end of this document.

Charges may apply to cover the cost of us accessing and providing you with this information. If we cannot provide you access, we will provide a statement of our reasons.

## Credit Reporting Policy

This Credit Reporting Policy applies to EnergyAustralia Pty Ltd ABN 99 086 014 968 (**EA**) and EnergyAustralia Services Pty Ltd ABN 73 081 074 160 (**EA Services**). EA Services is a related body corporate of EA. EA Services provides services to EA, including performing, on behalf of EA, tasks that are reasonably necessary in processing an application for credit made to EA or in managing credit provided by EA. Both EA and EA Services are referred to collectively and individually as "we" and "our" and "us" in this section of the privacy policy.

When you enter into a contract with EA, EA Services will collect and hold your name, address, date of birth and driver's licence number. EA Services may disclose this information to Credit Reporting Bureaus (CRBs), including Equifax Australia, illion and/or Experian Australia, if EA Services decides to do a credit check or credit assessment on you from time to time. You may contact the relevant CRB to obtain its policy on how it manages your credit-related personal information using the contact details below:

### **Equifax Australia Information Services and Solutions Pty Limited (formerly known as Veda)**

**Phone:** [138 332](tel:138332)

**Mail:** Attention: Public Access Division

Equifax Australia

PO Box 964

North Sydney NSW 2059

**Email:** [membership.queryau@equifax.com](mailto:membership.queryau@equifax.com)

**Web:** [www.mycreditfile.com.au](http://www.mycreditfile.com.au)

## **illion (Australia) Pty Ltd (formerly known as Dun and Bradstreet (Australia))**

**Phone:** 1300 734 806

**Mail:** Attention: Public Access Centre  
illion Australia

PO Box 7405

St Kilda Rd VIC 3004

**Email:** [PACaustral@illion.com.au](mailto:PACaustral@illion.com.au)

**Web:** [www.checkyourcredit.com.au](http://www.checkyourcredit.com.au)

## **Experian Australia Credit Services**

Phone: 1300 783 684

**Mail:** PO Box 1969,

North Sydney NSW 2059

**Email:** [creditreport@au.experian.com](mailto:creditreport@au.experian.com)

**Web:** <http://www.experian.com.au/consumer-reports>

The detailed credit reporting information received back from a CRB (including credit scores) and any information derived from the credit check (collectively, "credit eligibility information") will be accessible only by a dedicated "credit team" employed by EA Services, and may be used by that team to manage your credit.

If you believe on reasonable grounds that you have been or are likely to be a victim of fraud, you can request CRB not to use or disclose credit reporting information about you. In addition, you can request the CRB not to use your credit reporting information for the purposes of pre-screening of direct marketing by a credit provider.

The CRB may include information that EA Services provides to the CRB in reports that the CRB provides to other credit providers to assist them to assess your credit worthiness.

If EA Services does a credit check on you from time to time with a CRB, the CRB will generate a credit score for you and make this available to EA Services. EA Services will use this

information from time to time to help us assess your credit worthiness, including by updating our own credit score for you.

If you become our customer, your "credit eligibility information" as described above will be stored in the secure location that is only accessible by the dedicated "credit team" employed by EA Services. However, the identification information we collected from you (that is, your name, address, date of birth and driver's licence number) will be held in our customer database.

Some of our contractors to whom the identification information in our customer database may be disclosed are located overseas, including in India, New Zealand, China, Hong Kong, Singapore, Malaysia, the Philippines, UK and the US.

If you don't become our customer, your identification information will be held in our quotes database until such time as it is destroyed.

If, after reasonable follow up, you do not pay any outstanding amounts owed by you to us EA Services may supply the CRB with this information along with relevant personal information.

This may include:

- identification information about you
- the fact that you have applied for credit and we are a credit provider to you
- advice about payments more than 60 days overdue which are 'in collection' that we are permitted to report to the CRB
- that, in our opinion, you have committed a serious credit infringement
- that credit provided to you has been paid or otherwise discharged

Notification to the CRB that any of your outstanding payments are no longer overdue will only be made following payment of the outstanding amount including any accrued interest.

You're entitled to access and seek the correction of the credit-related personal information that we hold. If you have a complaint about the handling of your credit-related personal information you can contact our Privacy Officer.

## What if you disagree with our decision?

Where we make a decision about you or affecting you, you may ask us to explain the basis on which that decision was made, and you may ask to see the personal information (if any) on which our decision is based (see [How can you get access to your information?](#)).

## EnergyAustralia Website Policy

### **Cookies**

Like many companies, the EnergyAustralia Group ('we') operate a range of online services to provide information and services such as website, mobile apps, email and social media profiles, which may use 'cookie' technology. 'Cookies' are small text files a website can use to recognise repeat users, store registration data, facilitate the user's ongoing access to and use

of the website, allow a website to track usage behaviour and compile aggregate data that will allow content improvements. Data within cookies may also be provided to us by other businesses you have engaged with as well as other third parties. We may use the 'cookie' data provided to us in conjunction with our own data to provide a tailored user experience across our website and online services as well as provide you with more relevant advertising.

Cookies are not programs that come onto your system and damage files. In some cases, cookies may collect and store personal information about you and, if that is the case, we will extend the same privacy protections to that information as we do to other personal information we collect about you.

Generally, the information collected through cookies relates to a device used to access online content, such as an IP address or location data about the device. Cookies may also collect information about the behaviours of the user of the device, such as the websites visited by the user and their activity on the website. If you have logged into your EnergyAustralia My Account while you are online or interacting with certain content, this cookie information can be combined with information that identifies you as the end user of the relevant device.

You can disable cookies or be warned when cookies are being used by adjusting your internet browser or mobile device settings. However, disabling cookies may mean that you are not able to access parts of our website or to take advantage of the improved user experience or certain functionality that cookies can help provide.

### **Visiting our website**

When you visit our website or use other online services, in addition to any personal information you submit (e.g. for a quote or in a contact form), a record of your visit will be recorded.

This record may include the following types of information:

- your server address
- your top level domain name (e.g. .gov, .au)
- the date and time of the visit
- pages accessed and documents downloaded
- the address of any website that linked you directly to our site
- when you log into My Account, other anonymised information in relation to your account.

We may use this record and other de-identified and aggregated information not specific to you that we collect from third parties to:

- help develop and improve our products and services and communication to customers and prospective customers;
- to provide you with a tailored and relevant experience when using our website or other online services; and
- to assess unusual activity on the EnergyAustralia website and other online services.

## Third party websites

Third parties may use cookies and other technology to collect information about your use of our online services (including your computer's IP address). These third parties may store this information in countries outside of Australia, and may transfer the information they collect to other entities where required to do so by law, or where those other entities process the information on their behalf. Third parties who may collect data about your use of our online services include Demdex, DoubleClick, Facebook, Google and others. You can find more details in the privacy policies for those third party services. This includes information on how to opt-out of certain conduct.

Where there are third party cookies, you can disable the third party cookies or be warned when third party cookies are being used by adjusting your internet browser settings.

## Can the ways in which we use your information and the conditions of use be changed?

Periodically we will update this privacy policy to reflect changes to privacy legislation, technological changes, company policy and customer feedback. You should refer to our website from time to time to view the current version of this privacy policy.

## What if you have a complaint?

Please contact the Privacy Officer using the details below if you have any concerns or complaints about the way we have collected or handled your personal information (including in relation to credit). We will investigate your complaint and respond to you in writing within 30 days. For complaints specifically related to credit, we will also provide you in writing, within 7 days, an acknowledgement that your complaint has been received, setting out how it will be dealt with by us. If you are not satisfied with our response, you can contact us to discuss your concerns or lodge a complaint with the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au)).

## How to contact us

You can contact us using the details below to:

- arrange access to, or the correction of, personal information about you
- request a hardcopy of this Privacy Policy
- enquire generally about privacy matters (including in relation to credit)
- discuss any issues relating to our Privacy Policy (including in relation to credit)

Mail:

The Privacy Officer  
EnergyAustralia/seene  
Locked Bag 14060  
Melbourne City Mail Centre 8001

**EnergyAustralia Customers**

Email (enquiries): [enq@energyaustralia.com.au](mailto:enq@energyaustralia.com.au)

Email (complaints): [resolutions@energyaustralia.com.au](mailto:resolutions@energyaustralia.com.au)

**Seene Customers**

Phone: 1300 609 387 (Monday - Friday, 9am - 5pm AEST)

Email: [hello@seene.com.au](mailto:hello@seene.com.au)

## **ENERGYAUSTRALIA PRIVACY POLICY ADDENDUM - TELECOMMUNICATIONS SERVICES**

This addendum is to be read with our Privacy Policy (which also applies in relation to our telecommunications services) and sets out some further matters which are specific to our telecommunications services.

### **What kinds of information do we collect?**

In addition to the kinds of information set out in our Privacy Policy, we may also collect personal information and de-identified information regarding when and where you use our telecommunications services and the networks used to provide those services. We may also collect personal information from third parties as required by or in accordance with any industry code or industry standard registered under the Telecommunication Act 1997 (Cth).

Our network operators are also authorised to collect information about the contents and substance of the communications they carry by Division 3, Part 13 of the Telecommunications Act 1997 (Cth).

All telecommunications providers, including EnergyAustralia, have an obligation to retain certain network data and customer information (called 'metadata') for a period of at least two years for use by criminal law enforcement agencies. Network data has always been collected by our network operators so that they can run their networks properly, and it is now being retained for us for two years to meet the government requirement. We also collect customer information and retain it for at least 2 years. Please consult <https://www.ag.gov.au/dataretention> for more information on what we are required to retain and why.

### **How do we collect your information?**

In addition to the methods listed in our Privacy Policy, we may obtain personal information about you from other telecommunications retailers (for example if you move to us from that retailer) and from our upstream telecommunications service providers. At all times the collection of this information is obtained by lawful means in a manner that respects your privacy.